

AMENDMENTS TO LB 35

Introduced by Lautenbaugh

1           1. Insert the following new section:

2           Section 1. Section 60-6,297, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           60-6,297 ~~The provisions of subdivision (1)(b) of section~~  
5 ~~60-6,290 and subsections (2) and (3) of section 60-6,294 shall~~  
6 ~~not apply when a disabled combination of vehicles is towed if the~~  
7 ~~combination of vehicles, together with the wrecker or tow truck,~~  
8 ~~does not exceed one hundred fifty feet, inclusive of front and~~  
9 ~~rear bumpers including load. Such exception shall apply only if~~  
10 ~~the disabled combination of vehicles is being towed directly to~~  
11 ~~the nearest place of secure safekeeping. The towing vehicle shall~~  
12 ~~be connected with the air brakes and brake lights of the towed~~  
13 ~~vehicle. For purposes of this section, place of secure safekeeping~~  
14 ~~means a place off the traveled portion of the highway that can~~  
15 ~~accommodate the parking of such vehicles in order for the vehicles~~  
16 ~~to be (1) repaired or (2) dismantled and operated in compliance~~  
17 ~~with subdivision (1)(b) of section 60-6,290 and subsections (2) and~~  
18 ~~(3) of section 60-6,294.~~

19           (1) Subdivision (1)(b) of section 60-6,290 and  
20 subsections (2) and (3) of section 60-6,294 shall not apply to a  
21 vehicle or combination of vehicles disabled or wrecked on a highway  
22 or right-of-way when the vehicle or combination of vehicles is  
23 towed to a place of secure safekeeping by any wrecker or tow truck

1 performing a wrecker or towing service.

2 (2) Subdivision (1)(b) of section 60-6,290 and  
3 subsections (2) and (3) of section 60-6,294 shall not apply to a  
4 single vehicle that is disabled or wrecked when the single vehicle  
5 is towed by any wrecker or tow truck to a place for repair or to a  
6 point of storage.

7 (3)(a) Section 60-6,288, subsection (1) of section  
8 60-6,289, subdivision (1)(b) of section 60-6,290, and subsections  
9 (2) and (3) of section 60-6,294 shall not apply to a vehicle or  
10 combination of vehicles permitted by the Department of Roads for  
11 overwidth, overheight, overlength, or overweight operation that is  
12 disabled or wrecked on a highway or right-of-way when the vehicle  
13 or combination of vehicles is towed if the vehicle or combination  
14 of vehicles is towed by any wrecker or tow truck performing a  
15 wrecker or towing service to the first or nearest place of secure  
16 safekeeping off the traveled portion of the highway that can  
17 accommodate the parking of such disabled vehicle or combination of  
18 vehicles.

19 (b) After the vehicle or combination of vehicles has  
20 been towed to a place of secure safekeeping, such vehicle or  
21 combination of vehicles shall then be operated in compliance with  
22 section 60-6,288, subsection (1) of section 60-6,289, subdivision  
23 (1)(b) of section 60-6,290, and subsections (2) and (3) of section  
24 60-6,294, or the vehicle or combination of vehicles shall acquire  
25 a special single trip permit from the department for the movement  
26 of the overwidth, overheight, overlength, or overweight vehicle or  
27 combination of vehicles beyond the first or nearest place of secure

1 safekeeping to its intended destination.

2 (4) The owners, lessees, and operators of any wrecker  
3 or tow truck exceeding the width, height, length, or weight  
4 restrictions while towing a disabled or wrecked vehicle or  
5 combination of vehicles shall be jointly and severally liable  
6 for any injury or damages that result from the operation of the  
7 wrecker or tow truck while exceeding such restrictions.

8 (5) If a disabled or wrecked vehicle or combination of  
9 vehicles is towed, the wrecker or tow truck shall be connected with  
10 the air brakes and brake lights of the towed vehicle or combination  
11 of vehicles.

12 (6) For purposes of this section:

13 (a) Place of secure safekeeping means a location off the  
14 traveled portion of the highway that can accommodate the parking of  
15 the disabled or wrecked vehicle or combination of vehicles in order  
16 for the vehicle or combination of vehicles to be repaired or moved  
17 to a point of storage; and

18 (b) Wrecker or tow truck means an emergency commercial  
19 vehicle equipped, designed, and used to assist or render aid and  
20 transport or tow a disabled vehicle or combination of vehicles from  
21 a highway or right-of-way to a place of secure safekeeping.

22 2. Renumber the remaining section and correct the  
23 repealer section accordingly.